

**Proposed Substitute  
Bill No. 428**

LCO No. 4880

**AN ACT PROTECTING INTERNS FROM WORKPLACE HARASSMENT  
AND DISCRIMINATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this  
2       section:

3       (1) "Employee" means any individual engaged in service to an  
4       employer in a business of such employer and receives compensation  
5       for such service;

6       (2) "Employer" means any person engaged in business in the state,  
7       who provides a position for an intern;

8       (3) "Intern" means a person who performs work for an employer for  
9       the purpose of training, provided (A) the employer is not committed to  
10      hire the person performing the work at the conclusion of the training  
11      period; (B) the employer and the person performing the work agree  
12      that the person performing the work is not entitled to wages for the  
13      work performed; and (C) the work performed (i) supplements training  
14      given in an educational environment that may enhance the  
15      employability of the person, (ii) provides experience for the benefit of

16 the person, (iii) does not displace any employee of the employer, (iv) is  
17 performed under the supervision of the employer or an employee of  
18 the employer, and (v) provides no immediate advantage to the  
19 employer providing the training and may occasionally impede the  
20 operations of the employer; and

21 (4) "Sexual harassment" means any unwelcome sexual advances,  
22 requests for sexual favors or any other conduct of a sexual nature  
23 when (A) submission to such conduct is made either explicitly or  
24 implicitly a term or condition of an intern's internship; (B) submission  
25 to or rejection of such conduct by an intern or a person seeking an  
26 internship is used as the basis for workplace decisions affecting such  
27 intern or person; or (C) such conduct has the purpose or effect of  
28 substantially interfering with an intern's work performance or creating  
29 an intimidating, hostile or offensive working environment.

30 (b) No employer or agent of an employer shall:

31 (1) (A) Refuse to hire any person seeking an internship or allow any  
32 intern to work; (B) bar or discharge any intern from providing  
33 internship services; or (C) discriminate against such intern in terms,  
34 conditions or privileges of service to the employer, because of the  
35 intern's race, color, religious creed, age, sex, gender identity or  
36 expression, sexual orientation, marital status, national origin, ancestry,  
37 present or past history of mental disability, intellectual disability,  
38 learning disability or physical disability, including, but not limited to,  
39 blindness;

40 (2) Advertise any internship opportunity in a manner that would  
41 (A) restrict such internship to; or (B) discriminate against, persons of a  
42 certain race, color, religious creed, age, sex, gender identity or  
43 expression, sexual orientation, marital status, national origin, ancestry,  
44 present or past history of mental disability, intellectual disability,  
45 learning disability or physical disability, including, but not limited to,  
46 blindness;

47 (3) Discharge, expel or otherwise discriminate against an intern

48 because such intern has opposed any discriminatory employment  
49 practice or because such intern has filed a complaint or testified or  
50 assisted in any proceeding under section 46a-82, 46a-83 or 46a-84 of the  
51 general statutes; or

52 (4) Engage in any sexual harassment toward any intern or person  
53 seeking an internship.

54 (c) The provisions of subdivisions (1) and (2) of subsection (b) of this  
55 section shall not apply in the case of a bona fide occupational  
56 qualification or need.

57 Sec. 2. Subdivision (8) of section 46a-51 of the general statutes is  
58 repealed and the following is substituted in lieu thereof (*Effective*  
59 *October 1, 2015*):

60 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-  
61 60a, 4a-60g, 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c, 46a-66, 46a-68, 46a-  
62 68c to 46a-68f, inclusive, or 46a-70 to 46a-78, inclusive, subsection (a) of  
63 section 46a-80 or sections 46a-81b to 46a-81o, inclusive, or section 1 of  
64 this act;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	46a-51(8)